



07-2501

RCE/1633\$

App. for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/002,413
Filing Date	January 2, 1998
First Named Inventor	Richard C. ALLEN
Group Art Unit	1633
Examiner Name	M. Wilson
Attorney Docket No.	1311772000500

RECEIVED  
JUL 26 2001  
PATENT CENTER 1600/2900

This is a Request for continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
  - i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \*  
(Any unentered amendment(s) referred to above will be entered)
  - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \*
  - iii. ☐ Other:
- b. ☒ Enclosed
  - i. ☒ Amendment/Reply (17 pages)
  - ii. ☐ Affidavit(s)/Declaration(s)
  - iii. ☐ Information Disclosure Statement (IDS)
  - iv. ☐ Other: 1) Fee Transmittal plus copy for fee processing (2 pages)  
2) Petition for a three month extension of time (1 page)  
3) Return Receipt Postcard

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## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.1039c) for a period of \* months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)
- b. ☐ Other:

## 3. Fees

- The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 03-1952.
    - i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
    - ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
    - iii. ☐ Other:
  - b. ☐ Check in the amount of \$ enclosed
  - c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Karen R. Zachow	Registration No. (Attorney/Agent)	46,332
Signature		Date	July 24, 2001

## CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: EL654716121US Date of Deposit: July 24, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Tamara Venegas

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.



PATENT  
Docket No. 311772000500

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Date

7/24/01

Tamara Venegas

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:

Richard C. ALLEN et al.

Serial No.: 09/002,413

Filing Date: January 2, 1998

For: USE OF PIGMENTED RETINAL  
EPITHELIAL CELLS FOR CREATION  
OF AN IMMUNE PRIVILEGE SITE

Examiner: M. Wilson

Group Art Unit: 1633

#27/E  
J68  
7/26/01

**AMENDMENT AND RESPONSE  
UNDER 37 C.F.R. §1.114**

Box RCE  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This is in response to the final Office Action dated January 24, 2001 in connection with the above-identified application. A petition for a three month extension of time is attached, making this response due on July 24, 2001. Accordingly, this response is timely filed.

Applicants have given careful consideration to the grounds for rejection. The following amendments and remarks are believed to place this application in condition for allowance, which is respectfully requested.